

OFFICE OF  
THE COUNTY CLERK  
COUNTY OF KAUAI

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, June 14, 2017, at 1:30 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, on the following:

Bill No. 2653

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-812, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND (*Kekaha Coastal Property, Tax Map Key No: (4) 1-2-013:041*)

This Bill proposes to amend Ordinance No. B-2016-812, as amended, relating to the Operating Budget of the County of Kaua'i, State of Hawai'i, for the Fiscal Year July 1, 2016 through June 30, 2017, for the purpose of appropriating \$650,000.00 from the Equity / Fund Balance – Assigned account to the Contribution To Public Access, Open Space, Natural Resources Preservation Fund – CIP account, for the acquisition of a coastal property in Kekaha, Kaua'i, Hawai'i, identified as Tax Map Key (TMK) No. (4) 1-2-013:041.

Bill No. 2654

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-813, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND – CIP (*Kekaha Coastal Property, Tax Map Key No: (4) 1-2-013:041*)

This Bill proposes to amend Ordinance No. B-2016-813, as amended, relating to the Capital Budget of the County of Kaua'i, State of Hawai'i for the Fiscal Year July 1, 2016 through June 30, 2017, by revising the amounts estimated in the Public Access, Open Space, Natural Resources Preservation Fund – CIP, for the purpose of appropriating \$650,000.00 for the acquisition of a coastal property in Kekaha, Kaua'i, Hawai'i, identified as Tax Map Key (TMK) No. (4) 1-2-013:041.

All interested persons who wish to present their comments may do so at the public hearing. Written testimony prior to the hearing would be appreciated. Written testimony can be submitted to the Office of the County Clerk, Council Services Division by mail, facsimile, or via E-mail to [counciltestimony@kauai.gov](mailto:counciltestimony@kauai.gov). Copies of the Bills are available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend these Bills at its subsequent meetings. Meeting notices are posted at least six (6) days in advance at the County Clerk's Office and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bills Nos. 2653 and 2654 were passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on May 17, 2017, by the following vote:

AYES:	Brun, Chock, Kagawa, Kaneshiro, Kawakami, Yukimura, Rapozo	TOTAL – 7,
NOES:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0.
RECUSED & NOT VOTING:	None	TOTAL – 0.
Lihu'e, Hawai'i	/s/ Jade K. Fountain-Tanigawa	
May 18, 2017	County Clerk, County of Kaua'i	

NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, SUITE 209, LĪHU'E, KAUA'I, HAWAI'I, 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

(One publication – The Garden Island – May 26, 2017)

**A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-812,  
AS AMENDED, RELATING TO THE OPERATING BUDGET OF  
THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR  
JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS  
ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE,  
NATURAL RESOURCES PRESERVATION FUND**

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BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. Findings and purpose. The purpose of this Ordinance is to appropriate funds for the acquisition of the Pak Hook Tong Cemetery and vacant land on a property in Kekaha, Kaua'i, Hawai'i, further identified as Tax Map Key (TMK) No. (4) 1-2-013:041. The Council finds the following:

- a. The Pak Hook Tong Cemetery is of historical and cultural importance to Kaua'i's Chinese migrant and plantation history.
- b. The subject lot of record is adjacent to the ocean and there is a demonstrable need to preserve beaches and coastal areas.
- c. The subject lot of record contributes to the open space and scenic view planes of the surrounding Kekaha area.
- d. The subject lot of record could provide for additional outdoor recreational and educational opportunities for the surrounding West Kaua'i community.
- e. The subject lot of record currently has an assessed value by the County of Kaua'i Real Property Assessment Division of \$883,500.00; however, the lot is currently for sale on the open market for \$650,000.00.
- f. The cost and process for acquiring the subject lot of record is commensurate to the public interest served.
- g. The subject lot of record is currently for sale on the open market, and there is a demonstrable urgency concerning the timing of acquisition where delaying the action to the upcoming biennial report could result in a significantly more expensive or adversarial process.

SECTION 2. That pursuant to Sections 19.07B and 19.10A of the Charter of the County of Kaua'i, as amended, Ordinance No. B-2016-812, as amended, relating to the Operating Budget of the County of Kaua'i, State of Hawai'i, for the Fiscal Year July 1, 2016 through June 30, 2017, be hereby amended as follows:

The sum of \$650,000.00 by revising the amounts estimated in the Public Access, Open Space, Natural Resources Preservation Fund in the following account:

240-0000-272.00-00	Equity / Fund Balance – Assigned	[ \$650,000.00 ]
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Be and is hereby appropriated for the following purpose:

240-0000-261.07-00	Contribution To Public Access, Open Space, Natural Resources Preservation Fund – CIP	\$650,000.00
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SECTION 3. This Ordinance shall take effect upon its approval.

Introduced by:



ARRYL KANESHIRO  
(By Request)

DATE OF INTRODUCTION:

**May 17, 2017**

Līhu'e, Kaua'i, Hawai'i

V:\BILLS\2016-2018 TERM\Operating Budget Money Bill OSC Purchase Kekaha Coastal Property JA\_cy.doc

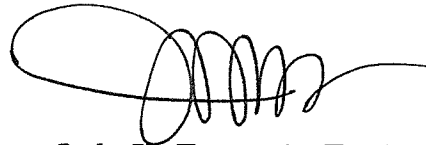
CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2653, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on May 17, 2017, by the following vote:

FOR PASSAGE:	Brun, Chock, Kagawa, Kaneshiro, Kawakami, Yukimura, Rapozo	TOTAL – 7*,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

*(\*Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kaua'i, Councilmember Kagawa was noted as silent, but shall be recorded as an affirmative vote for the motion.)*

Līhu'e, Hawai'i  
May 18, 2017



Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i

ORDINANCE NO. \_\_\_\_\_

BILL NO. 2654

**A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-813,  
AS AMENDED, RELATING TO THE CAPITAL BUDGET OF  
THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR  
JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS  
ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE,  
NATURAL RESOURCES PRESERVATION FUND – CIP**

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BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. That pursuant to Sections 19.07B and 19.10A of the Charter of the County of Kauai, as amended, Ordinance No. B-2016-813, as amended, relating to the Capital Budget of the County of Kauai, State of Hawaii, for the Fiscal Year July 1, 2016 through June 30, 2017, be hereby amended as follows:

The sum of \$650,000.00 by revising the amounts estimated in the Public Access, Open Space, Natural Resources Preservation Fund – CIP be and is hereby appropriated for the following purpose:

<u>Kekaha Coastal Property</u>	<u>*NEW*</u>	<u>\$650,000.00</u>
<u>Tax Map Key No: (4) 1-2-013:041</u>		

SECTION 2. This Ordinance shall take effect upon its approval.

Introduced by:



ARRYL KANESHIRO  
(By Request)

DATE OF INTRODUCTION:

**May 17, 2017**

Lihu'e, Kauai, Hawaii

V:\BILLS\2016-2018 TERM\CIP Budget Money Bill OSC Purchase Kekaha Coastal Property JA\_cy.doc

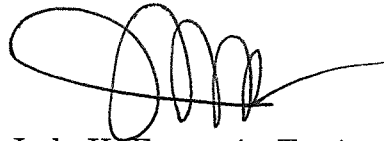
CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2654, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on May 17, 2017, by the following vote:

FOR PASSAGE:	Brun, Chock, Kagawa, Kaneshiro, Kawakami, Yukimura, Rapozo	TOTAL – 7*,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

*(\*Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kaua'i, Councilmember Kagawa was noted as silent, but shall be recorded as an affirmative vote for the motion.)*

Lihu'e, Hawai'i  
May 18, 2017



Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i